

WRITER'S DIRECT DIAL NO.  
**(212) 849-7345**

WRITER'S EMAIL ADDRESS  
**danbrockett@quinnemanuel.com**

March 20, 2020

**VIA ECF**

The Honorable Lorna G. Schofield  
United States District Court for the Southern  
District of New York  
40 Foley Square  
New York, NY 10007

*Allianz Global Investors GmbH, et al. v. Bank of America Corporation, et al.*, 1:18-cv-10364

Dear Judge Schofield:

We write on behalf of Plaintiffs to respectfully seek the Court's guidance concerning the joint letter to be filed by the parties on March 26, 2020, pursuant to the Court's March 2, 2020 Order. *See* Dkt No. 349 ("Order") ("The parties shall jointly file a letter on March 26, 2020, identifying any disputes they propose addressing at the conference.").

Plaintiffs have proposed to Defendants that each side exchange a maximum of three single-spaced pages several days in advance of filing to identify the issues to be raised. Plaintiffs proposal is consistent with (a) the Court's Order requesting only that the parties "identify[] any disputes they propose addressing at the conference"; (b) the purpose of the conference, *i.e.*, "to discuss the progress made during these meet and confer sessions", *id.*; and (c) the Court's Individual Rules and Practices concerning page lengths for letters concerning discovery disputes. *See* Individual Rules of Practice in Civil Cases, § 3.A.1. Defendants have instead proposed that the parties exchange sections of up to seven single-spaced pages (potentially 14 single-spaced pages total) at noon the day before filing.<sup>1</sup>

Plaintiffs believe that Defendants' proposal is inconsistent with the Order and the Court's Individual Rules of Practice, and would be unfair to Plaintiffs. Defendants should not be permitted to file the equivalent of a seven-page single-spaced motion to compel without giving Plaintiffs adequate opportunity to respond in writing. It would be particularly unfair to force Plaintiffs to craft a response to a seven-page letter brief in less than 24 hours. This is especially so because the unprecedented health crisis surrounding COVID-19 has forced Plaintiffs' counsel to work from home, where they do not have timely access to the same tools and resources as they would in usual circumstances.

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<sup>1</sup> Lest Defendants point to the parties April 28, 2019 joint letter (Dkt. No. 266), it should be noted that the letter was filed (a) in the context of a letter-motion to compel and the Court's direction that "Plaintiffs shall explain, *in detail*, their efforts to supplement their responses, and the JPMorgan Defendants shall advise whether the supplemented responses are sufficient" (Dkt. No. 262); and (b) before the outbreak of COVID-19, which has forced Plaintiffs' counsel to work from home.

Accordingly, Plaintiffs respectfully request that the Court clarify that each side's submission should be limited to three pages and be exchanged no later than 10:00 AM EST on March 24, 2020.

Respectfully submitted,

/s/ Daniel L. Brockett

Daniel L. Brockett  
Quinn Emanuel Urquhart & Sullivan, LLP  
51 Madison Avenue, 22nd Floor  
New York, New York 10010  
Telephone: (212) 849-7000  
Fax: (212) 849-7100  
danbrockett@quinnemanuel.com

Anthony Alden (pro hac vice)  
Jeremy D. Andersen (pro hac vice)  
Chris R. Barker (pro hac vice)  
865 South Figueroa Street, 10th Floor  
Los Angeles, California 90017  
Telephone: (213) 443-3000  
Fax: (213) 443-3100  
anthonyalden@quinnemanuel.com  
jeremyandersen@quinnemanuel.com  
chrisbarker@quinnemanuel.com

*Counsel for Plaintiffs*